

TO :
FROM : Patent and Trademark Bureau Christova & Partners

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Rec'd PCT/PTO 02 MAR 2005
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BT01 Rec'd PCT/PTO 02 MAR 2005

10/526310

**Patent and Trademark Bureau
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**IN THE INTERNATIONAL APPLICATION
UNDER THE PATENT COOPERATION TREATY (PCT)
IN THE BULGARIAN PATENT OFFICE**

In the application of
ORT Joint-Stock Company

By fax & registered mail

International Application No. PCT/IB 03/00158

International Filing Date: 23/01/2003

For: ITEM OF TRANSFORMABLE FURNITURE

AMENDMENT UNDER PCT ARTICLE 19(1)

The International Bureau of WIPO
34, chemin des Collombettes
1211 Geneva 20
Switzerland

Facsimile No.: 41 22 740 14 35

In response to the International Search Report transmitted June 17, 2003, the Applicant submits an Amendment under Article 19 (1).

In order to accelerate the requested international preliminary examination an amended clarified claim version is submitted herewith, which is to serve as the basis of the IPEA's report instead of the original claim version.

In the amended claim version:

- claim 1 goes back to the original claims 1 and 7;
- claims 2 to 4 go back to the original claims 2 to 4, respectively; and
- claims 5 to 9 go back to the original claims 8 to 12, respectively.

Thus, the amended claim version is supported by the original disclosure of the application and formally admissible.

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Further, the subject matter defined in the new amended claim version is sufficiently inventive and patentable because of the following:

In document EP-A2-0447925 there is disclosed an item of furniture which according to an embodiment shown in Figs. 1 and 2 comprises an one-piece L-shaped chair element (6, 7, 8, 9) and a separate worktop (4), both of which are fixedly connected to a frame (3). By turning the frame in an appropriate position the item can be used as a chair or as a table. Hence, this item of furniture is not convertible at all and cannot anticipate the technical teaching set forth in the amended claim 1.

In document EP-A2-0447925 (D1) there is disclosed another embodiment shown in Figs. 3 and 4 and comprising a foldable chair unit (6, 7, 8, 9) and a separate worktop (4). In this embodiment both, the hinge axis of the foldable chair unit and the separate worktop are fixedly connected to the frame (3). Thus, by turning the furniture into the table position the chair unit can be folded and by turning into the chair position unfolded. Unlike this construction the technical teaching of the invention requires that (i) the worktop of the table serves as a back in the chair position and also that (ii) the chair parts, i.e. the two plates, are provided with separate axis around which they rotate for assuming the different positions as chair or table, respectively.

The further embodiments shown in Figures 5 to 8 are related again to an item of furniture comprising an one-piece L-shaped chair element using either one single rotational axis (cf. Figs. 5, 6) or fixing pins (14, 15), thus being definitely different from the construction defined in claim 1 of the amended claim version.

Hence, the technical teaching of the invention in the version of the new amended claim 1 is novel over the disclosure of D1.

According to document DE-U1-29612131 (D2) there is known an item of transformable furniture consisting of two one-piece L-shaped units hinged together, wherein only one of these units can be turned around an axis for completing the other one to a chair or a table. Compared to the embodiment shown in Figs. 7, 8 of D1 such a turnable unit is further away from the invention in claim 1 since unlike the invention the plates a convertible from the position as a seat and a back to a position as a worktop and a front panel, respectively. Thus, also the disclosure of D2 is not able to anticipate the technical teaching defined in the amended claim 1.

The third "X" document of the search report US-1513651 (D3) relates to a chair convertible into a table shown in Figs. 5 and 6. By using the language of the new amended claim 1 document D3 describes an item of transformable furniture consisting of two plates, namely the one of the seat (14) and the other one of the back (13) shown in Figs. 1 and 2. The plate (14) can rotate round a horizontal axis constituted by a first hinge (24) shown in Fig. 6 and the plate (13) can rotate round a horizontal axis constituted by the pivots (12) shown in Fig. 1, whereas the plates are also hinged together by the third hinge (15). This is however the only similarity to the construction defined in the new amended claim 1.

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Contrary to the transformability set forth in claim 1 the hinged plates (14, 13) of D3 can switch over from a first position as a seat and a back of a chair into a second position of one single worktop shown in Figs. 5 and 6 of D3. Hence, also the disclosure of D3 is not able to challenge the novelty of the subject matter of the new amended claim 1.

The technical teaching defined in the new claim 1 is not only new, but it is also based on inventive step because even if the aforementioned documents of the search report are taken in combination the person skilled in the art will be not able to derive the technical teaching there from without inventive effort.

The most important prove for the above is the circumstance, that after D3 has been published in 1923 the concept of multi-hinge construction of transformable furniture has not been further pursued at all, but other alternative ways for designing convertible furniture of L-shaped elements has been chosen instead as shown in D1 and D2.

Because of the above the issuance of a positive final examination report is requested.

If the IPEA is of the opinion that the presently amended new claim version can not serve yet as a basis for issuance of a positive final examination report, the accelerated issuance of a preliminary examination report is requested so that the applicant is given the possibility of further amendment of the claims.

Yours faithfully,
Iskra Christova & Partners

Date: August 8, 2003


Iskra Christova

Patent Attorney,
European Patent Attorney

Encl.: new amended claim version (claims 1 to 9).

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Amended Claims

1. An item of transformable furniture consisting of two plates (5, 6) connected with each other by a horizontal hinge joint (4), wherein the plates can rotate round horizontal axis (2, 3) located at different levels and in parallel to the axis of the hinge joint (4) so that the plates can switch over between a first position as a seat (6) and a back (5) and a second position as a front panel (6) and a worktop (5), respectively.
2. An item of transformable furniture according to claim 1, characterized by a supporting construction for the two plates (5, 6) consisting of two lateral vertical elements (1) linked together at a distance from one another, so that the two plates are located between said two linked lateral vertical elements (1).
3. An item of transformable furniture according to claim 2, characterized in that said two linked lateral vertical elements (1) are formed as closed pipe frames with armrests (11) in the upper part of the respective frame or as open pipe frame without armrests.
4. An item of transformable furniture according to claim 2, characterized in that said two linked lateral vertical elements (1) are formed as solid lateral vertical elements.
5. An item of transformable furniture according to one of claims 1 to 4, characterized in that the plate (5) serving as a back and worktop is connected to the top horizontal axis (2) by means of a slot (7) which enables a rotational and translational movement of the plate in relation to said axis.
6. An item of transformable furniture according to claim 5, characterized in that the plate (6) serving as a seat and front panel is penetrated by the bottom horizontal axis (3).
7. An item of transformable furniture according to one of claims 1 to 6, characterized by a fixing mechanism for fixing the angular position between said plates (5, 6).
8. An item of transformable furniture according to claim 7, characterized in that the fixing mechanism is located in one of said plates (5, 6).
9. An item of transformable furniture according to claim 7, characterized in that the fixing mechanism is located in the hinge joint (4).

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 6 below.	
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
PCT/IB 03/00158	23/01/2003	02/09/2002
Applicant		
ORT Joint-Stock Company		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

1, 2
☐ None of the figures.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT
OR THE DECLARATION

(PCT Rule 44.1)

To:

ISKRA CHRISTOVA & PARTNERS
Attn. Christova, I. V.
20 Lyuben Karavelov St.
BG-1000 Sofia
BULGARIA

Date of mailing
(day/month/year)

17/06/2003

Applicant's or agent's file reference

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/IB 03/00158

International filing date
(day/month/year)

23/01/2003

Applicant

ORT Joint-Stock Company

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.


4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the International application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the International application, or of the priority claim, must reach the International Bureau as provided in Rules 90b/s.1 and 90b/s.3, respectively, before the completion of the technical preparations for international publication.

Within 18 months from the priority date, a demand for International preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority

 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3018

Authorized officer

Elisabeth Vonk

INTERNATIONAL SEARCH REPORT

International Application No

PCT/IB 03/00158

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A47B85/04 A47C13/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A47B A47C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 447 925 A (PUETZ GREGOR) 25 September 1991 (1991-09-25) the whole document	1,2,4-6
A	---	3
X	DE 296 12 131 U (HERBST CHRISTINA DIPL ING) 5 September 1996 (1996-09-05) the whole document	1
X	US 1 513 651 A (STONE TILDEN J) 28 October 1924 (1924-10-28) the whole document	1
A	---	7,9
A	GB 195 545 A (EDWARD CHARLES HODGETTS; WILLIAM TALLIS BRASSINGTON) 5 April 1923 (1923-04-05) the whole document	8,10-12

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- *a* document member of the same patent family

Date of the actual completion of the international search

5 June 2003

Date of mailing of the international search report

17/06/2003

Name and mailing address of the ISA
European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
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Authorized officer

Ottesen, R

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INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/IB 03/00158

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0447925	A	25-09-1991	DE 4008765 A1	26-09-1991
			AT 133542 T	15-02-1996
			DE 59107323 D1	14-03-1996
			DK 447925 T3	09-04-1996
			EP 0447925 A2	25-09-1991
DE 29612131	U	05-09-1996	DE 29612131 U1	05-09-1996
US 1513651	A	28-10-1924	NONE	
GB 195545	A	05-04-1923	NONE	